

AMENDED IN SENATE JUNE 24, 2014

AMENDED IN ASSEMBLY MAY 1, 2014

AMENDED IN ASSEMBLY MARCH 25, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1951

Introduced by Assembly Member Gomez
(Coauthors: Assembly Members Ammiano, Eggman, Garcia,
Gordon, Skinner, and Ting)
(Coauthor: Senator Lara)

February 19, 2014

An act to amend Section 102425 of, ~~and~~ to add Section 102425.1 to, *and to repeal Section 102150 of*, the Health and Safety Code, relating to vital records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1951, as amended, Gomez. Vital records: birth certificates.

Existing law prescribes the duties of the State Registrar of Vital Statistics and local registrars of births and deaths with respect to the registration of a live birth. Under existing law, a certificate of live birth is required to contain, among other things, the full name, birthplace, and date of birth of both the father and mother of a child, except as provided.

Existing law provides for the Vital Statistics Advisory Committee, which, among other things, is required to review and make recommendations to the State Registrar as to proposals for addition or deletion of items on the certificate of live birth and advise the State

Registrar on the content and format of the certificate. Existing law requires the State Registrar to publish within 30 days of receipt of recommendations by the committee, both a list of the recommendations adopted and a list of the recommendations not adopted, with reasons for the action.

This bill would instead require the State Registrar, with regard to identification of the parents, to modify the certificate of live birth to contain 2 lines that both read “Name of Parent” and contain, next to each parent’s name, 3 check boxes with the options of mother, father, and parent to describe the parent’s relationship to the child. The bill would also require that all local registrars, deputy registrars, and subregistrars use the modified certificate of live birth, update all forms to incorporate the modification, and discard all forms in use before the modification. The bill would provide that these provisions become operative on January 1, 2016. The bill would make *technical and* conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 102150 of the Health and Safety Code is
2 repealed.
3 ~~102150. (a) When objection is made by either parent to the~~
4 ~~furnishing of information requested in items (3), (9), and (10) in~~
5 ~~the confidential portion of the certificate of live birth, specified in~~
6 ~~subdivision (b) of Section 102425, this information shall not be~~
7 ~~required to be entered on that portion of the certificate of live birth.~~
8 ~~(b) A parent is not required to disclose his or her social security~~
9 ~~number as required by paragraph (14) of subdivision (b) of Section~~
10 ~~102425 if the parent has good cause for not disclosing his or her~~
11 ~~social security number. Good cause shall be defined by regulations~~
12 ~~adopted by the State Department of Social Services.~~
13 SECTION 1.
14 SEC. 2. Section 102425 of the Health and Safety Code is
15 amended to read:
16 102425. (a) The certificate of live birth for any live birth
17 occurring on or after January 1, 1980, shall contain those items
18 necessary to establish the fact of the birth and shall contain only
19 the following information:

1 (1) Full name and sex of the child.

2 (2) Date of birth, including month, day, hour, and year.

3 (3) Place of birth.

4 (4) Full name, birthplace, and date of birth of each parent,
5 including month, day, and year, and the relationship of the parent
6 to the child.

7 (A) The full name of the mother shall be the birth name of the
8 mother.

9 (B) If the parents are not married to each other, the father's
10 name shall not be listed on the birth certificate unless the father
11 and the mother sign a voluntary declaration of paternity at the
12 hospital before the birth certificate is prepared. The birth certificate
13 may be amended to add the father's name at a later date only if
14 paternity for the child has been established by a judgment of a
15 court of competent jurisdiction or by the filing of a voluntary
16 declaration of paternity.

17 (5) Multiple births and birth order of multiple births.

18 (6) Signature, and relationship to the child, of a parent or other
19 informant, and date signed.

20 (7) Name, title, and mailing address of the attending physician
21 and surgeon or principal attendant, signature, and certification of
22 live birth by the attending physician and surgeon or principal
23 attendant or certifier, date signed, and name and title of the certifier
24 if other than the attending physician and surgeon or principal
25 attendant.

26 (8) Date accepted for registration and signature of local registrar.

27 (9) A state birth certificate number and local registration district
28 and number.

29 (10) A blank space for entry of the date of death with a caption
30 reading "Date of Death."

31 (b) In addition to the items listed in subdivision (a), the
32 certificate of live birth shall contain the following medical and
33 social information, provided that the information is kept
34 confidential pursuant to Sections 102430 and 102447 and is clearly
35 labeled "Confidential Information for Public Health Use Only":

36 (1) Birth weight.

37 (2) Pregnancy history.

38 (3) Race and ethnicity of each parent.

(4) ~~Residence~~—*If applicable, the full name, birthplace, date of birth, including month, day, and year, and residence address of the birth mother.*

(5) A blank space for entry of census tract for the birth mother's address.

(6) Date of first prenatal care visit, the number of prenatal care visits, and commencing January 1, 2007, the date of last prenatal care visit.

(7) Date of last normal menses and, commencing January 1, 2007, an obstetric estimate of completed weeks of gestation at delivery.

(8) Description of complications and procedures of pregnancy and concurrent illnesses, congenital malformation, and any complication or procedure of labor and delivery, including surgery, provided that this information is essential medical information and appears in total on the face of the certificate.

(9) Commencing January 1, 2007, hearing screen results.

(10) Each parent's occupations and kind of business or industry.

(11) Education level of each parent.

(12) Principal source of payment for prenatal care, which shall include the following: Medi-Cal, private insurance, self-pay, other sources, and any other categories as may be determined by the State Department of Public Health.

(13) Expected principal source of payment for delivery, which shall include the following: Medi-Cal, private insurance, self-pay, other sources, and any other categories as may be determined by the State Department of Public Health.

(14) An indication of whether or not the child's parent desires the automatic issuance of a social security number to the child.

(15) On and after January 1, 1995, the social security numbers of each parent, unless subdivision ~~(b)~~ of Section 102150 *(d)* applies.

(c) When an objection is made by either parent to the furnishing of the information specified in paragraphs (3), (9), and (11) of subdivision (b) for the confidential portion of the certificate of live birth, this information shall not be required to be entered on that portion of the certificate of live birth.

(d) A parent is not required to disclose his or her social security number as required by paragraph (15) of subdivision (b) if the parent has good cause for not disclosing his or her social security

1 *number. Good cause shall be defined by regulations adopted by*
2 *the State Department of Social Services.*

3 ~~(e)~~

4 (e) Paragraph (8) of subdivision (b) shall be completed by the
5 attending physician and surgeon or the attending physician and
6 surgeon's designated representative. The names and addresses of
7 children born with congenital malformations who require followup
8 treatment, as determined by the child's physician and surgeon,
9 shall be furnished by the physician and surgeon to the local health
10 officer, if permission is granted by either parent of the child.

11 ~~(d)~~

12 (f) The parent shall only be asked to sign the form after both
13 the public portion and the confidential medical and social
14 information items have been entered upon the certificate of live
15 birth.

16 ~~(e)~~

17 (g) (1) The State Registrar shall instruct all local registrars to
18 collect the information specified in this section with respect to
19 certificates of live birth. The information shall be transcribed on
20 the certificate of live birth in use at the time and shall be limited
21 to the information specified in this section.

22 (2) Information relating to concurrent illnesses, complications
23 and procedures of pregnancy and delivery, and congenital
24 malformations shall be completed by the physician and surgeon,
25 or the physician and surgeon's designee, who shall insert in the
26 space provided on the confidential portion of the certificate the
27 appropriate number or numbers listed on the VS-10A supplemental
28 worksheet. The VS-10A supplemental form shall be used as a
29 worksheet only and shall not in any manner be linked with the
30 identity of the child or the birth mother, nor submitted with the
31 certificate to the State Registrar. All information transferred from
32 the worksheet to the certificate shall be fully explained to the parent
33 or other informant prior to the signing of the certificate. Questions
34 relating to drug or alcohol abuse shall not be asked.

35 ~~(f)~~

36 (h) (1) The Vital Statistics Advisory Committee, in accordance
37 with Section 102465, shall conduct a review of the contents of the
38 certificate of live birth to coincide with decennial revisions by the
39 National Center for Health Statistics to the United States Standard
40 Certificate of Live Birth. The Vital Statistics Advisory Committee

1 shall make recommendations to the State Registrar regarding the
2 adoption of modifications to the state certificate of live birth that
3 are similar to those made to the federal certificate.

4 (2) Notwithstanding Section 102470, the State Registrar shall
5 review the Vital Statistics Advisory Committee recommendations
6 and, at the State Registrar's discretion, shall submit to the
7 Legislature, for approval, additions or deletions to the certificate
8 of live birth.

9 ~~SEC. 2.~~

10 SEC. 3. Section 102425.1 is added to the Health and Safety
11 Code, to read:

12 102425.1. (a) Notwithstanding Sections 102465 and 102470,
13 the State Registrar of Vital Statistics, with regard to identification
14 of the parents, shall modify the certificate of live birth to do both
15 of the following:

16 (1) Contain two lines that both read "Name of Parent."

17 (2) Contain, next to each parent's name, three checkboxes to
18 choose from with the following options to describe the parent's
19 relationship to the child:

20 (A) Mother.

21 (B) Father.

22 (C) Parent.

23 (b) (1) The certificate of live birth, as described in subdivision
24 (a), shall be used by all local registrars, deputy registrars, and
25 subregistrars.

26 (2) The local registrars, deputy registrars, and subregistrars shall
27 update all forms to incorporate the modification and discard all
28 forms in use before the modification described in subdivision (a).

29 (c) This section shall become operative on January 1, 2016.